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**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Charles R. Spinner, III, et al.  
Serial No. : 09/871,463  
Filed : May 31, 2001  
For : BARRIER FILM DEPOSITION OVER METAL FOR  
REDUCTION IN METAL DISHING AFTER CMP  
Group No. : 2815  
Examiner : M.E. Warren

**BOX NON-FEE AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

Sir:

The undersigned hereby certifies that the following documents:

1. Response to Restriction Requirement; and
2. A postcard receipt;

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to Box NON-FEE AMENDMENT, Commissioner for Patents, Washington, D.C. 20231, on May 1, 2002.

Date: 5/1/02

Date: 5-1-02

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**PATENT**

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PATENT 7/1/2

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## BOX NON-FEE AMENDMENT

Commissioner for Patents  
Washington, D. C. 20231

Sir:

## **RESPONSE TO RESTRICTION REQUIREMENT**

No fees are believed to be necessary; however, in the event that any fees are required for the prosecution of this application, please charge any necessary fees to Deposit Account No. 50-0208. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and please charge the fee for this extension to Deposit Account No. 50-0208.

In response to the Restriction Requirement dated April 9, 2002, Applicants provisionally elect the claims of Group II, claims 8-20, WITH TRAVERSE.

The Restriction Requirement asserts that the product and process are distinct because “etching, instead of chemical mechanical polishing, could be used to remove portions of the

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protective barrier layer." However, independent structure claim 8 does not require removal of any portion of the protective barrier layer, but instead reads on the structure prior to chemical mechanical polishing. For this reason, the restriction requirement is respectfully traversed.

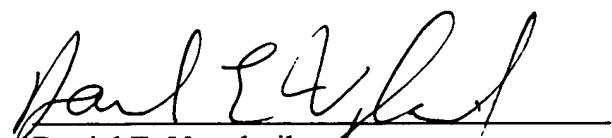
If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at [dvenglarik@davismunck.com](mailto:dvenglarik@davismunck.com).

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: 5-1-02



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